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**E-FILED: March 4, 2019**

Attorneys for Creditor LABORERS INTERNATIONAL UNION  
OF NORTH AMERICA, LOCAL 872

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re

SIX STAR CLEANING AND CARPET  
SERVICES, INC.,

Debtor.

Case No. BK-S 13-18735-MKN

IN PROCEEDINGS UNDER CHAPTER 7

**OBJECTION TO APPLICATION FOR  
ADMINISTRATIVE EXPENSES FOR  
ARBITRATOR, NUNC PRO TUNC**

Date: April 4, 2019  
Time: 11:00 a.m.  
Place: Foley Building, Third Floor

1. Laborers Local 872, is a creditor of Six Star Cleaning and Carpet Services, Inc. and the defendant in a case entitled *Gene Collins v. Laborers International Union of North America, Local 872, et al.*, United States District Court, District of Nevada, Case No. 11-cv-00524-LDG-CWH. It formerly had a collective bargaining agreement with Six Star.

2. The Trustee has made an *ex parte* Application for the payment of \$7,500 in arbitrator's costs. The Application is deceptive and does not disclose that the Debtor's obligation is only one-fifth (1/5) of the fee, not the entire fee.

3. In paragraph 4, the Application refers to a case entitled "*Six Star Cleaning and Carpet Services, Inc., et al. v. Laborers International Union of North America Local 872, et al.* (Case No. 2:11-cv-00524-LDO-CWH)..." As noted above, the correct name of the case is *Gene*

1 *Collins, et al. v. Laborers International* .... This is deceptive because there are actually five  
2 plaintiffs. Six Star Cleaning is only one of the plaintiffs.

3 4. The District Court ordered certain of the claims to arbitration and the plaintiffs and  
4 defendants (the five Plaintiffs and the two Defendants) chose Dennis Kist as the Arbitrator.

5 5. The Arbitrator has required that each of the sides post a \$7,500 fee to pay for his  
6 costs and fees. The Union has posted its \$7,500.

7 6. The five plaintiffs, including Six Star, are required to post \$7,500 total.

8 7. The Application by the Trustee would allow the Debtor to pay the entire \$7,500.  
9 Its *pro rata* portion is one-fifth (1/5) of that or \$1,500.

10 8. The Application does not disclose that the \$7,500 would pay for the arbitration  
11 costs of all of the parties. The Application falsely states at p. 3:4-5 that “The estate’s portion of  
12 the arbitration fee of \$7,500 is reasonable and necessary.” Its portion of the fee is only \$1,500.  
13 The estate should not pay the costs of the other plaintiffs.

14 9. The Application refers to a Board of Adjustment decision in an amount of  
15 \$1,134,149.76. The District Court found in the litigation referred to above that the award was  
16 improperly procured and has refused to enforce it.

17 10. Laborers Local 872 has a cross-claim against Six Star Cleaning and the other  
18 contractors, which will be litigated in the arbitration. This has not been disclosed. Its creditor  
19 status is in part a result of the claim against Six Star Cleaning.

20 11. Because the Application seeks the payment of \$7,500 to pay for the costs for all of  
21 the employers, it should be rejected by the Court. The estate should only pay for the costs related  
22 to Six Star and not all other employers.

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12. For these reasons, the request should be denied.

Dated: March 4, 2019

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By: /s/ Kristina L. Hillman  
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